

MEMO ENDORSED

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Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

October 18, 2023

Re: USA v. Velez (Christopher Lum), Docket # 19 Cr. 862

Dear Judge Caproni,

I represent Defendant Christopher Lum in this matter. I submit this letter to address points raised in co-counsel George C. Grasso's two recent submissions to Your Honor in connection with his request to modify Mr. Christopher Lum's conditions of release in this matter.

Please note that the filing of the Judgment by Confession in the Clerk's Office of Queens County was made upon request and according to instructions from AUSA Adam Hobson, who conditioned Mr. Lum's release on bond on filing of Judgment by Confession from Mr. Lum's apartment so the property could secure his bond as documented in the firm's email exchange dated December 16, 2019 through December 16, 2019. Moreover, upon the filing of Judgment by Confession, my paralegal sent the filed documents to AUSA Adam Hobson via email. As such, the filing was made in accordance with AUSA Adam Hobson's, SDNY, and Queens County clerks' instructions, and without the filing, Mr. Lum would not be released on bond. Critically, based on representations of Katrina Plotnikova, our paralegal, who worked on the filing, while preparing the documents for the filing, she was in direct contact with Queens County, SDNY clerks, and pretrial officer Andrew Kessler-Cleary, who made specific instructions as to what and where the Judgment by Confession ought to be filed. All those communications were made prior to the filing to ensure that the filing was correct and accurate.

Critically, from the filed documents, it is clear that the Judgment by Confession refers to the Coop located at **108-49 63rd Ave. (Unit 5g), Queens, New York**, and NOT to the property located at **95-50 65th Ave., Queens, NY**. While it is possible that Chase Abstract, L.L.C. or Clerk's Office of Queens County made a mistake when they erroneously connected the Judgment by Confession to 95-50 65th Ave., Queens, NY, it was an error on their end and had nothing to do with our firm's action. Given the circumstances, I believe that the proper way to correct this mistake, if any, would be to make an application to Queens County court and spare this Court's valuable resources on this issue.

Finally, as I am currently located in Florida, I will not be able to appear in person at the hearing scheduled for October 20, 2023. As such, I respectfully request to appear virtually or otherwise to adjourn the hearing.

Thank you for your attention to this letter.

Sincerely,

s/Arkady Bukh

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Mr. Bukh's appearance at the October 20, 2023, conference is excused. Mr. Grasso must appear, in person, on behalf of Mr. Lum.

SO ORDERED.



10/19/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE